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7 IN THE UNITED STATES DISTRICT COURT
8
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

CASE NO. 2:20-CR-00032-01 WBS

11 Plaintiff,

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

12 v.

13 FAYTH JONES,

14 Defendant.
15

16 STIPULATION

17 1. By previous order this matter was set for status conference on October 17, 2022. The
18 defendant is out of custody on conditions of release. Docket No. 47.

19 2. By this stipulation, the parties now move to vacate the currently set status conference
20 date, and set a further status conference/entry of plea date of November 14, 2022 at 9:00 a.m., and to
21 exclude time between October 17, 2022, and November 14, 2022, under Local Code T4.

22 3. The parties agree and stipulate, and request that the Court find the following:

23 a) The United States previously produced written reports and related materials, as
24 well as a voluminous set of audio recordings and other discoverable items to defense counsel.

25 b) The parties have reached an agreement for a guilty plea in the case. However,
26 defense counsel needs additional time to review the agreement, go over the Guidelines
27 calculations with his client, and prepare the defendant for entry of plea.
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1 c) In addition, counsel for defendant desires additional time to review the discovery,
2 consult with his client, complete investigation and research related to sentencing exposure, and
3 prepare for resolution of the pending charges against the defendant.

4 d) Counsel for defendant believes that failure to grant the above-requested
5 continuance would deny him the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 e) The government does not object to the continuance.

8 f) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of October 17, 2022, to November
13 14, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
14 Code T4] because it results from a continuance granted by the Court at defendant's request on
15 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
16 best interest of the public and the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

20 IT IS SO STIPULATED.

21 Dated: October 11, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ *Jason Hitt*
JASON HITT
Assistant United States Attorney

27 Dated: October 11, 2022

/s/ *Jason Hitt for Jared Thompson*

1 JARED THOMPSON, Esq.
2 Counsel for Defendant
3 Fayth Jones
4 Authorized to sign for Mr. Thompson on
5 October 11, 2022
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FINDINGS AND ORDER

9 IT IS SO FOUND AND ORDERED.
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11 Dated: October 12, 2022



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WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE